

05/01/01

J1055 U.S. PRO

05-02-01

PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

U S Patent and Trademark Office; U S DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	GP121-02.UT
First Inventor	Hogan et al.
Title	Polynucleotide Probes for Detection and Quantitation...
Express Mail Label No.	EL612500418US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patent
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 31]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
5. Oath or Declaration & **Power of Attorney** [Total Pages 02]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76 - 3 pgs.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☒ Computer Readable Form (CRF) - diskette
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ paper - 2 pgs.
- c. ☒ Statements verifying identity of above copies 1pg.

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Transmittal Ltr... 2pgs
Utility App... Cover Page 1pg.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No.: 60 / 201,249

Prior application information.

Examiner

Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

Name

Address

City

Country

021365

PATENT AND TRADEMARK OFFICE

State

Zip Code

Telephone

Fax

Name (Print/Type)

Michael J. Gilly

Registration No. (Attorney/Agent)

42,579

Signature

Date

May 1, 2001

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT

(\$) 1,078.00

Complete if Known

Application Number	To Be Assigned
Filing Date	May 1, 2001
First Named Inventor	Hogan et al.
Examiner Name	Unknown
Group Art Unit	To Be Assigned
Attorney Docket No.	GP121-02.UT

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 07-0835
Deposit Account Name: Gen-Probe Incorporated

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$) 710.00

2. EXTRA CLAIM FEES

Total Claims: 36 - 20** = 16 x Fee from below 18 = 288
Independent Claims: 4 - 3** = 1 x Fee from below 80 = 80
Multiple Dependent: ☐ = ☐

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 368.00

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Name (Print/Type)	Michael J. Gilly	Registration No. (Attorney/Agent)	42,579	Telephone	(858)410-8657
Signature		Date	May 1, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Group Art Unit: To Be Assigned
)
HOGAN) Examiner: To Be Assigned
)
Utility Application Claiming Priority to) Atty. Docket No. GP121-02.UT
U.S. Prov. App. No.60/201,249 - Filed: May 1, 2000)
)
Filed: Hereon (May 1, 2001))
)
For: "POLYNUCLEOTIDE PROBES FOR)
DETECTION AND QUANTIFICATION OF)
CANDIDA SPECIES")

SEQUENCE SUBMISSION

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

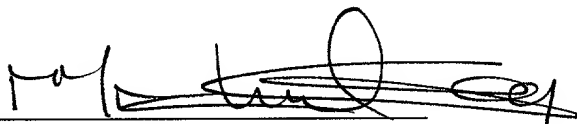
A copy of the Sequence Listing in computer readable form as required by 37 C.F.R. §1.821(e) is submitted herewith.

As required by 37 C.F.R. §1.821 (f), the data on the enclosed disk is identical to the sequence listing *attached to the end of the application* as separate pages 1 and 2 filed herewith.

Respectfully Submitted,

Dated: May 1, 2001

By:


Michael J. Gilly
Registration No. 42,579
Agent for Applicants

GEN-PROBE INCORPORATED
Patent Department
10210 Genetic Center Drive
San Diego, CA 92121
(858) 410-8657 (Tel)
(858) 410-8928 (Fax)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Group Art Unit: To Be Assigned
)	
HOGAN <i>et al.</i>)	Examiner: To Be Assigned
)	
Utility Application Claiming Priority to)	Atty. Docket No. GP121-02.UT
U.S. Prov. App. No.60/201,249 - Filed: May 1, 2000)	
)	
Filed: Hereon (May 1, 2001))	
)	
For: "POLYNUCLEOTIDE PROBES FOR)	
DETECTION AND QUANTITATION OF)	
CANDIDA SPECIES")	

TRANSMITTAL LETTER

Attn: Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Express Mail No. EL612500481US

Sir:

Transmitted herewith are the following documents pertaining to the above-referenced
Utility Application:

- 1) Application Data Sheet (3 pgs.);
- 2) Utility Patent Application Transmittal (1 pg.);
- 3) Fee Transmittal (1 pg. in duplicate - 2 pages total);
- 4) Utility Application Cover Page (1 pg.);
- 5) Specification (31 pgs. - includes Description, Claims, & Abstract);
- 6) Sequence Listing - Paper Format (2 pgs.);
- 7) Sequence Listing - Diskette (FastSeq v3.0 - AsciiDos Text);
- 8) Sequence Listing Statement Under 37 CFR §§ 1.821(e)&(f) (1 pg.);
- 9) Executed Combined Declaration and Power of Attorney or Authorization of Agent
(2 pgs.); and
- 10) Return/Stamped Postcard

TRANSMITTAL LETTER

Utility Application Claiming Priority to
U.S. Prov. App. No.60/201,249 - May 1, 2000

Atty. Docket No. GP121-02.UT

Filed Hereon (May 1, 2001)

The Commissioner is hereby authorized to debit Deposit Account No. 07-0835 the amount due in connection with the filing of this Utility Application.

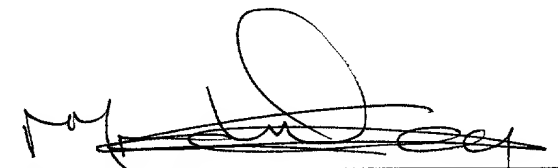
Certificate of Mailing by Express Mail

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited on the date indicated below with the U.S. Postal Service as Express Mail No. EL612500481US in an envelope addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

Dated: May 1, 2001

By:


Michael J. Gilly
Registration No. 42,579
Agent for Applicants

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